

REMARKS

As a preliminary matter, applicants note that the Office Action summary indicates that Claims 65-73 are pending in the subject application. Applicants believe that the reference to Claims 65-73 is in error. Applicants assert that the pending claims are Claims 55-70 as submitted in the Preliminary Amendment on August 15, 2000, and Claims 71-75 as submitted on February 12, 2001, in the Response to the Restriction Requirement. Accordingly, applicants assert that Claims 55-75 are currently pending and active in the subject application. Since the detailed action at page 2 makes reference to Claims 55-73, applicants believe that the Examiner is in agreement with the above. Applicants note that it appears the Examiner has overlooked Claims 74 and 75, which are set forth on page 2 of the Response mailed February 12, 2001.

For purposes of responding, applicants will assume that Claims 74 and 75 are rejected on the same basis that Claims 55-73 stand rejected.

Independent Claim 55 has been amended above for a reason that is not substantially related to one of the statutory requirements for patentability. Independent Claim 55 has been amended to clearly distinguish between the binder containing fibers and the fiber which comprises a portion of the binder containing fibers. In addition, applicants assert that the amendment to Claim 55 does not narrow the fiber element, but rather more clearly distinguishes between the fibers recited in the claim.

Claims 55-73 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 4,755,178 to Insley et al. For the following reasons, applicants respectfully traverse this rejection. Claim 55, from which the balance of the dependent claims depend, recites the step of combining superabsorbent particles with the "binder-containing fiber". As recited in the first subparagraph of Claim 55, the binder-containing fiber comprises fiber having hydrogen bonding

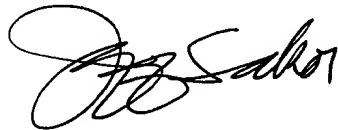
LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

functional sites and a binder comprising the recited functional groups. Applicants assert that Insley does not suggest combining superabsorbent particles with a binder-containing fiber.

Insley at Column 3, line 50, through Column 4, line 15, describes that absorbent particles are combined with staple transport fibers in incline duct 24. The absorbent particles and transport fibers are then later combined with melt-blown fibers. Insley describes that binders can be applied to the mixed stream of melt-blown fibers, absorbent particles and transport fibers at spray jet 25. Insley does not teach or suggest combining superabsorbent particles with a binder-containing fiber, i.e., a fiber carrying a binder, but rather discloses the application of a binder to a mixture of absorbent particles and staple transport fibers. Accordingly, applicants assert that the subject matter of independent claim 55 as amended above and the claims dependent therefrom are non-obvious over Insley. Accordingly, applicants respectfully request withdrawal of the outstanding rejection of Claims 55-73 and the assumed rejection of Claims 74 and 75 over Insley. For the foregoing reasons, applicants respectfully request allowance of the pending claims. If the reviewing party has any questions regarding the above, he is invited to call applicants' attorney at the number listed below.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Jeffrey M. Sakoi
Registration No. 32,059
Direct Dial No. 206.695.1713

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to the Commissioner for Patents, Washington, D.C. 20231, on the below date.

Date:

August 17, 2001

Patricia H. Tucker

JMS:pt

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{MLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

VERSION WITH MARKINGS TO SHOW CHANGES MADE AUGUST 16, 2001

In the Claims:

55. (Amended) A method of binding superabsorbent particles to fibers comprising the steps of:

providing binder-containing fiber, ~~the binder-containing fiber~~ comprising fiber having hydrogen bonding functional sites and a binder comprising a non-polymeric binder having functional groups selected from the group consisting of a carboxyl, a carboxylate, a carbonyl, a sulfonic acid, a sulfonate, a hydroxyl, a phosphoric acid, a phosphate, an amide, an amine, and combinations thereof, the binder comprising binder molecules, the binder molecules having at least one functional group capable of forming a hydrogen bond or a coordinate covalent bond with the particles, and at least one functional group capable of forming a hydrogen bond with the fiber;

combining superabsorbent particles having a hydrogen or a coordinate covalent bonding functional site with the binder-containing fiber; and

binding the superabsorbent particles to the binder-containing fiber.